

Senator Janssen. Under the south balcony we have Joyce and Molly Knoell from Hooper, Nebraska. Will you please stand and be recognized. Because we're waiting for Senator Bernard-Stevens and Senator Lindsay, we had an opportunity to introduce those people. The Sergeants of Arms have indicated they have difficulty finding Senator Bernard-Stevens and Senator Lindsay. Senator Witek has not checked in. We have Senator Lindsay and Senator Bernard-Stevens who have. Members are here. Mr. Clerk, will you proceed with the call of the roll.

CLERK: (Roll call vote read. See pages 1031-32 of the Legislative Journal.) 16 ayes, 18 nays, Mr. President.

SPEAKER WITHEM: Rules are not suspended. Anything else on the bill, Mr. Clerk?

CLERK: Not at this time, Mr. President.

SPEAKER WITHEM: Nothing else on the bill. Is there any further discussion on the advancement of LR 29CA? Senator Lindsay.

SENATOR LINDSAY: Thank you, Senator Withem. I rise...I guess I was just trying to draft, look at language to take care of the concern I've had with LR 29 throughout and that's still a question of remedies. We talked about it a little bit at General File. I think Senator Pirsch discussed that a little bit and I still got a concern as to what happens if a victim does not receive one of these rights or one of these...does not...is not notified of a sentencing or not notified of an arraignment or what have you. The language of the amendment states that you don't...nothing creates an appeal or any right in the defendant, but it still leaves the question as far as are we doing anything? That is, do we have any teeth in this, and if not, do we intend to have teeth in it? And that's what's I guess been disturbing me about LR 29, is what happens if the victim does not get that right? When we talk about, in Section 2, it's the duty of the Legislature to provide for the implementation of the law. Does that mean the Legislature, by constitution, must enact legislation providing for some way of enforcing these civil rights that we're creating? If that's the case, is the Legislature going to be required to do what to make those rights effective? Will the Legislature be required to provide basically, you may have heard of Section 1983 of the U.S. Code which is how civil rights actions are brought under the federal system, will the Legislature be required by this